

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81958 of 2025

Arising Out of PS. Case No.-431 Year-2025 Thana- BARUN District- Aurangabad

Md Taukir Son of Md Sahlal @ Sahlal Ahmad R/o Village - Gola Road, Ward no. 14, P.S. - Barun, Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Mukul Kumari, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-12-2025 Heard Mrs. Mukul Kumari, learned counsel for
the petitioner and learned APP representing the State.

2. The petitioner is in custody in connection with Barun P.S. Case No. 431 of 2025 for the offence punishable under sections 25(1-b)a, 26 and 35 of the Arms Act, lodged on 07.09.2025 by the informant, Devanand Kumar.

3. As per the prosecution story, the informant alleged that on secret informant that Vikash Kumar and this petitioner are in the business sale/purchase of illegal arms, the Police reached the place, both Vikash Kumar and this petitioner were taken into custody and further from the flat of Vikash Kumar, there is recovery/seizure of three country made pistol/fifteen live cartridges. The mobiles of the two accused were also seized. This led to the F.I.R.



4. Learned counsel for the petitioner submits that he do not have criminal antecedent, is in custody since 08.09.2025, admittedly, the recovery is from the house of Vikash Kumar, as he was present at the wrong place with Vikash Kumar, got implicated, if granted bail, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that it was secret informant that both this petitioner and one Vikash Kumar are jointly selling illegal arms.

6. Considering the submissions of the parties as also the materials on record and the recovery which is from the house of Vikash Kumar, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No. 431 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance and at the end of the period a certificate be submitted before the Trial Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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